

Tarragona, July 23, 2019

REUNITED

On one hand, Josep Maria Palet Martínez, of legal age and holder of DNI no. [number], in his capacity as acting director of the Catalan Institute of Classical Archaeology, with an address at Plaça Rovellat, s/n, Tarragona (43003).

On the other hand, Lydia Margarita Gil González, of legal age and holder of DNI no. [number], in her capacity as the workers' representative of the Catalan Institute of Classical Archaeology, with an address at Pl. Rovellat, s/n, Tarragona (43003).

On the other hand, Josep Maria Macias Solé, of legal age and holder of DNI no. [number], in his capacity as the workers' representative of the Catalan Institute of Classical Archaeology, with an address at Plaça Rovellat, s/n, Tarragona (43003).

And on the other hand, Iñaki Matías Santacoloma, of legal age and holder of DNI no. [number], in his capacity as the workers' representative of the Catalan Institute of Classical Archaeology, with an address at Plaça Rovellat, s/n, Tarragona (43003).

The parties, recognizing their legal capacity to enter into this agreement,

EXPOSE

FIRST.- The Catalan Institute of Classical Archaeology constitutes a public legal entity in the form of a consortium, of an institutional nature, endowed with its own legal personality and subject to public law. It is affiliated with the Government of Catalonia through the department responsible for research matters.

The Consortium is governed by its Statutes, the Internal Regulations, and the general legal provisions that apply to it.

Likewise, the rules governing criminal, civil, and labor jurisdiction concerning the Government of Catalonia are applicable to the Catalan Institute of Classical Archaeology.

SECOND.- The legal regime applicable to the personnel of the Consortium is that of the Government of Catalonia, without prejudice to the specific provisions applicable due to the consideration of the consortium as a CERCA center. (Art. 24 of the Statutes)

THIRD.- The Governing Council of the Catalan Institute of Classical Archaeology, in accordance with Art. 8, section p), has the function of adopting appropriate provisions and measures for the best functioning and organization of the Institute. In the exercise of its functions, during the meeting held on June 27, 2019, the following agreement was adopted:

TO EMPOWER THE ACTING DIRECTOR OF THE CATALAN INSTITUTE OF CLASSICAL ARCHAEOLOGY TO SIGN THIS AGREEMENT.

FOURTH.- Article 2.2 of Royal Legislative Decree 5/2015, of October 30, which approves the revised text of the Basic Statute of Public Employees (published in the BOE on October 31, 2015), provides that specific regulations may be issued for the application of this statute to research personnel, to adapt it to their particularities.

FIFTH.- Article 7 of the aforementioned Basic Statute of Public Employees provides that labor personnel in the service of public administrations are governed not only by labor legislation and other conventionally applicable rules but also by the provisions of this Statute that so stipulate.

SIXTH.- Both parties, with the aim of clarifying and providing legal certainty to certain aspects of the labor relations of personnel in the service of the Catalan Institute of Classical Archaeology.

SEVENTH.- This document replaces and nullifies the draft presented and approved at the Governing Council meeting of the Institute on June 27, 2018.

AGREE

FIRST.- This agreement applies to all labor personnel of the ICAC, which is classified into research personnel, scientific-technical services personnel, and management and research support personnel.

SECOND.- It is agreed, as the legal reference framework, in accordance with the applicable regulatory framework, for the labor relations of the personnel of the Catalan Institute of Classical Archaeology, to be governed by the following regulations:

- Annex 1: Workday, schedule, and organization of working time at the Catalan Institute of Classical Archaeology.
- Annex 2: Salary tables, seniority increments, and bonuses for 2019, which will be updated annually in accordance with the increases established in the General State Budgets and the Budgets of the Government of Catalonia.

Both documents are attached to this agreement.

THIRD.- Both parties commit to carrying out a process of organization, systematization, and, if necessary, updating the regulatory framework of labor relations.

FOURTH.- A specific commission will be established to monitor compliance with the agreement. This commission will be composed of representatives of the workers and representatives of the ICAC.

In witness thereof, both parties sign in triplicate, at the place and on the date indicated at the beginning.

Josep Maria Palet Martínez
Director in functions
Institut Català d'Arqueologia Clàssica

Lydia Margarita Gil González
Employee's representative
Institut Català d'Arqueologia Clàssica

Josep Maria Macias Solé
Employee's representative
Institut Català d'Arqueologia Clàssica

Iñaki Matías Santacoloma
Employee's representative
Institut Català d'Arqueologia Clàssica

Annex 1:

Workday, Schedule, and Organization of working time at the Catalan Institute of Classical Archaeology

After more than eight years since the first instruction from the Catalan Institute of Classical Archaeology (hereinafter ICAC) regarding the workday, schedule, and organization of working time, which was published on November 10, 2010, and given the continuous reforms in the working conditions of the public sector of the Government of Catalonia and the Collective Agreement for the offices and desks sector in Catalonia, a new instruction is required.

Furthermore, since March 2015, ICAC has held the "HR Excellence in Research" accreditation and logo for its personnel, in accordance with the Human Resources Strategy for Researchers (HRS4R) from the European Commission. This distinction helps ensure the improvement of labor relations at the Institute.

This document has been previously agreed upon with the workers' representatives.

The following document outlines, in a non-limiting manner, the most relevant aspects to consider regarding working conditions:

CHAPTER 1. SCOPE OF APPLICATION

Article 1. Affected personnel and regulatory framework

- 1.1. This document applies to the labor personnel of the Catalan Institute of Classical Archaeology (ICAC).
- 1.2. The labor relations at ICAC are regulated by the basic regulations of the State, those of the Government of Catalonia and its public sector, and by the provisions of the collective agreement for the offices and desks sector of Catalonia. Article 4 of the ICAC Statutes determines the Institute's subjection to the rules governing the labor jurisdiction of the Government of Catalonia.
- 1.3. The provisions of this document are complementary and will be taken into account whenever they represent an improvement in working conditions compared to those established in the aforementioned collective agreement, and do not contravene the regulations specified in the previous point.

Article 2. Classification of ICAC labor personnel

ICAC labor personnel are classified as:

1. Novice or predoctoral researcher (R1, according to the standard classification in Europe); Postdoctoral researcher (R2, which may be in training or newly incorporated); Junior researcher (R3); Senior researcher (R4)
2. Scientific-technical services personnel
3. Management and research support personnel

CHAPTER 2. WORKING HOURS

Article 3. Ordinary Workday

- 3.1. The ordinary workday for full-time dedication is 37 hours and 30 minutes of effective work per week, from Monday to Friday. During the period from December 15 to January 10, inclusive,

and during Holy Week, the ordinary workweek is equivalent to multiplying the number of working days in this period by 7 hours per day.

- 3.2. In the summer period, from June 1 to September 30, inclusive, the ordinary workday for full-time dedication is 35 hours of effective work per week, from Monday to Friday.
- 3.3. The ordinary workday for part-time dedication will be as determined in the employment contract signed between the ICAC and the affected person.

Article 4. Break

- 4.1. Personnel who work a shift of six hours or more are entitled, during their workday, to a break of twenty minutes, which is counted as effective work time.
- 4.2. The break is taken, in accordance with the needs of the service, during the mandatory working hours and, in general, between 10:00 AM and 12:00 PM.

CHAPTER 3. WORKING HOURS

Article 5. Ordinary schedule

- 5.1. The ordinary working hours are carried out with the mandatory presence of personnel from 10:00 AM to 2:00 PM, from Monday to Friday.
- 5.2. The remaining working hours, for weekly accounting and recovery, are conducted from Monday to Thursday from 8:00 AM to 7:00 PM and on Fridays from 8:00 AM to 6:00 PM. These hours are distributed at the discretion of the personnel, without prejudice to being subject to organizational and service needs. In accordance with the above, whenever service needs require it, the administrator of the ICAC or the responsible person in the assigned area, for duly justified service needs and with three business days' notice, may require the effective presence of their personnel within a specific time frame.
- 5.3. Services may not be provided for more than 7 hours and 30 minutes continuously without a mandatory break of at least 30 minutes.
- 5.4. After the mandatory break, services must be provided for a minimum of 1 hour and 30 minutes, and the total daily workday may not exceed 9 hours and 30 minutes.

Article 6. Special dedication schedule

- 6.1. The job classification of ICAC may provide for the establishment of a special working schedule for certain positions. In this case, it is the responsibility of the administrator of ICAC to determine the specifics of this schedule, which will be communicated to the individuals directly affected.
- 6.2. The special working schedule, which must be included in the job classifications, requires the fulfillment of 37 hours and 30 minutes of effective work per week, from Monday to Friday. During the period from December 15 to January 10, inclusive, during Holy Week, and during the summer period from June 1 to September 30, the special working schedule requires 35 hours of effective work per week, from Monday to Friday. This schedule may be carried out in a split shift in the morning and afternoon or in a continuous shift.

CHAPTER 4. GENERAL PROVISIONS ON WORKING HOURS AND OVERTIME

Article 7. Service Needs and Public Attention

- 7.1. The schedules established in this document are subject to the needs and proper functioning of the Institute and may be adjusted as long as adequate service delivery is guaranteed.
- 7.2. To ensure the provision of public attention services, the administrator of the ICAC may exceptionally establish an appropriate schedule for the affected workers.

Article 8. Recoverable Flexible Hours

25 annual hours of recoverable flexible time are established for personal matters without justification, subject to service needs. These flexible hours will be enjoyed under the same criteria as personal leave and must be recovered, in accordance with service needs, before their enjoyment or within the following four months, and no later than January 15 of the following year.

Article 9. Holidays and Non-recoverable Days and Afternoons

- 9.1. Holidays are those approved by the corresponding Department of the Generalitat de Catalunya.
- 9.2. On December 24 and 31, the afternoons before the two local holidays, the holiday of Epiphany, and the afternoon of Saint George's Day, the Institute will be closed. These days and afternoons are considered non-recoverable, and if they coincide with a Saturday, Sunday, holiday, or summer working day, the administrator of ICAC must issue the appropriate instructions regarding compensation.

Article 10. Standardization Criteria for Working Hours

- 10.1. In order to standardize the weekly calculation of different working hours, the following equivalences will apply:
 - a) In Regular Working Hours:
Holidays and non-recoverable days equate to 7 hours and 30 minutes, and non-recoverable afternoons equate to 2 hours and 30 minutes. During the summer period, the period between December 15 and January 10, and during Holy Week, holidays and non-recoverable days equate to 7 hours, and non-recoverable afternoons equate to 2 hours.
 - b) In Special Dedication Hours:
Holidays and non-recoverable days equate to 7 hours and 30 minutes, and non-recoverable afternoons equate to 2 hours and 30 minutes. During the summer period, the period between December 15 and January 10, and during Holy Week, holidays and non-recoverable days equate to 7 hours, and non-recoverable afternoons equate to 2 hours.
 - c) For Personnel with Part-Time Contracts
The corresponding proportional equivalences will apply to non-recoverable afternoons and the periods between December 15 and January 10, as well as during Holy Week for holidays and non-recoverable days described in the previous sections of this article.
- 10.2. ICAC's manager, strictly adhering to the needs and proper functioning of ICAC, must adopt the appropriate measures to compensate for the weekly working hours when there are holidays and/or non-recoverable days or afternoons. This is to ensure the standardization of the maximum weekly hours worked across different time modalities.
- 10.3. For the purposes established in the previous section, any calculation differences that may exist between time modalities must first be allocated to the flexible parts of the schedule. If there is still a difference remaining, it must be deducted or recovered from the mandatory presence hours in accordance with the needs of the services.

Article 11. Extraordinary Hours

Extraordinary hours will be kept to a minimum, except in cases of force majeure, without prejudice to the possibility of performing extraordinary services compensated with time off according to the following equivalencies:

- 1 ordinary extraordinary hour will be compensated with 1.5 normal hours of time off.
- 1 holiday hour will be compensated with 1.75 normal hours of time off.
- 1 night hour will be compensated with 1.75 normal hours of time off.

Ordinary extraordinary hours are those performed as a result of extending the worker's ordinary workday. Night hours are defined as those performed due to the extension of the ordinary workday within the time frame from 10:00 PM to 6:00 AM. Holiday hours are those worked on a day of rest. Extraordinary hours must be authorized in advance by the administrator of ICAC.

CHAPTER 5. HOLIDAYS

Article 12. Duration of Annual Vacations

- 12.1. The duration of paid annual vacations is 22 working days for each complete year of service, or the proportional part that corresponds when the service time is less than a year.
- 12.2. ICAC personnel may enjoy additional vacation days for seniority based on the number of years worked in the public sector of the Generalitat de Catalunya. The calculation for additional vacation days is as follows: 1 day (for 15 to 19 years worked); 2 days (for 20 to 24 years worked); 3 days (for 25 to 29 years worked); 4 days (for 30 years worked and beyond).

Article 13. Periods for Enjoying Vacations

- 13.1. Vacations are generally enjoyed, provided that the service needs allow it, during the period between July 1 and September 30, both inclusive. However, at the request of the interested employees, vacations may be taken during other periods, in accordance with the needs of the services and with prior authorization from the administrator of ICAC.
- 13.2. Notwithstanding the provisions of the previous section, the administrator of ICAC may arrange for vacations to be taken during other periods to ensure the maintenance of the level of essential services or to accommodate an increase in tasks that may occur during the aforementioned period.
- 13.3. Despite the provisions of the first section, if maternity, paternity, or leave for premature children coincides with the vacation period, the affected individual may take their vacation after the leave has ended. Even if the calendar year has concluded, they may enjoy their vacation during the following year upon returning from the leave. Also, in cases where a temporary incapacity for work prevents enjoying vacations during the calendar year, these may be taken upon returning to work, provided that no more than 18 months have passed since the end of the year in which they were accrued.
- 13.4. In the event that ICAC closes for a few days in August, this period will be counted as vacation time for all ICAC employees. However, personnel who are required to work outside ICAC during these days will not have these days counted as vacation. They must communicate this to ICAC in advance, and the authorization corresponds to the administrator of ICAC.

Article 14. Calculation of Annual Vacations

- 14.1. Vacations can be taken in fractionated periods. In this case, the total number of vacation days is 22 working days for each full year of service or the corresponding proportional part when the time worked is less than one year. Each of the different fractions must be at least one calendar week long. However, of these 22 days, 7 vacation days can be taken independently and separately throughout the year, always in accordance with the needs of the services.
- 14.2. For the purpose of calculating vacations, working days are understood to be the weekdays from Monday to Friday that are not holidays, regardless of whether the staff has to provide actual services or the number of days they are required to work.
- 14.3. In services that, due to the nature and peculiarities of their functions, require a different shift regime, the administrator of ICAC must establish the necessary exceptions and the shifts that are appropriate for these purposes.

- 14.4. Vacations must be enjoyed during the calendar year. However, if maternity, paternity, or premature child care leave coincides with the vacation period, the affected person may take the vacations after the leave ends, even if the calendar year has concluded. In this case, they can enjoy the vacations during the following year upon returning from the leave. Also, in the case of temporary incapacity that prevents the enjoyment of vacations during the calendar year, they can be taken at the time of return from sick leave, provided that no more than 18 months have elapsed from the end of the year in which they originated.

CHAPTER 6. LEAVE FOR PERSONAL MATTERS

Article 15. Leave for Personal Matters

- 15.1. ICAC staff may take 6 days of leave for personal matters for each complete year of service, or the proportional part corresponding when the actual time worked is less than a year or in cases of reduced working hours. Each day of leave for personal matters is equivalent to 7.5 hours.
- 15.2. The granting of this leave, which does not require justification and is subject to strict control of its use, is subordinated to the needs of the services and, in any case, it must be ensured that the tasks of the employee requesting this leave can be assumed without harm to third parties or to the organization itself.
- 15.3. In accordance with the previous paragraph, staff may accumulate this leave with their vacation and divide it into mornings, afternoons, or hours, for a total of 45 hours annually in ordinary working hours or, where applicable, the corresponding proportional part for this concept. In the case of divided use, the minimum duration is 30 minutes.
- 15.4. The period for taking leave for personal matters is from January 16 of one year to January 15 of the following year. If due to service needs it is not possible to take the leave during this period, its use may be authorized during the second half of January.
- 15.5. Without prejudice to the provisions of this section, ICAC staff have the right to take two additional days upon completing the sixth triennium. This right increases by one additional day for each completed triennium starting from the eighth.

CHAPTER 7. TIME CONTROL AND JUSTIFICATION OF ABSENCES

Article 16. Responsible for Time Control

ICAC's manager will be responsible for overseeing compliance with the working hours and schedule. Staff occupying positions of responsibility or authority must actively collaborate in monitoring the adherence to the working hours and schedule of the personnel under their supervision.

Article 17. Means of Time Control

- 17.1. The monitoring of compliance with working hours and schedules is carried out through a time clock and other information or telematic systems that may be established.
- 17.2. Regarding staff who occasionally or habitually perform tasks outside ICAC premises, they must report their absences and the reasons for them through the information system set up for this purpose.
- 17.3. Monthly, the direct supervisors responsible for monitoring compliance with working hours and schedules must submit a report to the administrator of ICAC regarding this compliance, the absences recorded and their reasons, the authorizations granted, and any other incidents that may have arisen in this area.

Article 18. Justification of Absences

- 18.1. Without prejudice to the break established in Article 4, absences during the workday may only occur due to service needs, provided they have been previously authorized, or for reasons of unavoidable urgency, which requires prior justification to the administrator of ICAC.
- 18.2. Absences, tardiness, and failure to remain at work due to illness or incapacity must be justified to the administrator of ICAC and may be subject to verification by ICAC.

- 18.3. The submission of medical leave or accident notifications issued by the competent medical professional is mandatory from the moment the cause occurs and, in any case, within three days of issuance. The obligation to submit leave notifications, the corresponding forms, and confirmation notifications must conform to the social security system to which the worker is affiliated. In any case, absences due to maternity or paternity leave, adoption, or fostering do not require the submission of a continuation of leave notification.

Article 19. Flexibility Actions for Work-Life Balance

- 19.1. In order to ensure a good work-life balance, a recoverable credit of 32 hours per year may be available for each complete year of service, or the proportional part corresponding when the actual time worked is less than a year or in cases of reduced working hours.
- 19.2. This credit may be used under the following conditions:
- a) When taking a day for personal matters, the 4 hours of mandatory presence from Monday to Friday between 10 AM and 2 PM will be deducted from the personal matters hours, and the remainder may be deducted from this credit.
 - b) When accompanying first- or second-degree relatives by blood or affinity to a medical appointment.
 - c) When vacations are taken outside the reduced 35-hour workweek, this credit may be used to complete up to the 37.5 hours per week of the regular work schedule.
 - d) This credit may be used for absences within the required presence hours caused by personal matters (obtaining ID, passport, banking transactions, notarial matters, dealings with other public administrations, school meetings, and other similar incidents) and delays, whether caused by incidents in transportation or not.

These hours must be recovered, according to the service needs, within the four months following their use and, at most, until January 15 of the following year.

Final Provision

Unique. Annex 1: Work Schedule, Hours, and Organization of Work Time of the Catalan Institute of Classical Archaeology shall come into effect on June 27, 2019